



General Assembly

February Session, 2008

**Amendment**

LCO No. 4285

**\*SB0033304285SD0\***

Offered by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.  
SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
SEN. MCKINNEY, 28<sup>th</sup> Dist.  
SEN. FREEDMAN, 26<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.  
REP. CAFERO, 142<sup>nd</sup> Dist.  
REP. HETHERINGTON, 125<sup>th</sup> Dist.

To: Subst. Senate Bill No. 333

File No. 419

Cal. No. 258

**"AN ACT CONCERNING COMPREHENSIVE ETHICS REFORMS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) As used in sections 1 to 3,  
4 inclusive, of this act:

5 (1) "Public official" means public official, as defined in section 1-79  
6 of the 2008 supplement to the general statutes, a judge of any court  
7 either elected or appointed, and any elected or appointed municipal  
8 official;

9 (2) "State or municipal employee" means state employee, as defined  
10 in section 5-154 of the general statutes, and includes an employee of  
11 any quasi-public agency, as defined in section 1-120 of the general  
12 statutes, or any person, whether appointed or under contract, who

13 provides services for a city, town or other political subdivision of the  
14 state for which a pension is provided; and

15 (3) "Crime related to state or municipal office" means any of the  
16 following criminal offenses committed by a person while serving as a  
17 public official or state or municipal employee:

18 (A) The committing, aiding or abetting of an embezzlement of  
19 public funds from the state, a municipality or a quasi-public agency;

20 (B) The committing, aiding or abetting of any felonious theft from  
21 the state, a municipality or a quasi-public agency;

22 (C) Bribery in connection with service as a public official or state or  
23 municipal employee; or

24 (D) The committing of any felony by such person who, wilfully and  
25 with the intent to defraud, realizes or obtains, or attempts to realize or  
26 obtain, a profit, gain or advantage for himself or herself or for some  
27 other person, through the use or attempted use of the power, rights,  
28 privileges or duties of his or her position as a public official or state or  
29 municipal employee.

30 Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any  
31 provision of the general statutes, on or after the effective date of this  
32 section, if any person is convicted of or pleads guilty or nolo  
33 contendere to any crime related to state or municipal office in state  
34 criminal or federal criminal court, the Attorney General shall apply to  
35 the Superior Court for an order to revoke or reduce the pension of any  
36 kind to which such person is otherwise entitled under the general  
37 statutes for service as a public official or state or municipal employee.

38 (b) If any public official or state or municipal employee is convicted  
39 of or pleads guilty or nolo contendere to any crime related to state or  
40 municipal office, in either federal criminal or state criminal court, the  
41 value of any reduction or revocation ordered by the Superior Court  
42 pursuant to subsection (c) shall not exceed the amount necessary to

43 satisfy any fine, restitution or other monetary order made by the  
44 criminal court in addition to the amount necessary to pay the cost of  
45 such public official or state or municipal employee's incarceration, as  
46 determined pursuant to section 18-85a of the general statutes unless  
47 the court determines that the severity of the crime, the amount of  
48 monetary loss suffered by the state, municipality or quasi-public  
49 agency, the degree of public trust reposed in the person or the nature  
50 of the fraudulent scheme against the state, municipality or quasi-public  
51 agency or any combination of such factors is such that the public  
52 interest requires that the amount of the reduction be greater than such  
53 amount or that the pension be revoked in full.

54 (c) In determining whether the pension shall be revoked or reduced,  
55 the Superior Court shall consider and make findings on the following  
56 factors:

57 (1) The severity of the crime related to state or municipal office for  
58 which the person has been convicted or to which the person has pled  
59 guilty or nolo contendere;

60 (2) The amount of monetary loss suffered by the state, a  
61 municipality or a quasi-public agency or by any other person as a  
62 result of the crime related to state or municipal office;

63 (3) The degree of public trust reposed in the person by virtue of the  
64 person's position as a public official or state or municipal employee;

65 (4) If the crime related to state or municipal office was part of a  
66 fraudulent scheme against the state or a municipality, the role of the  
67 person in the fraudulent scheme against the state or a municipality;  
68 and

69 (5) Any such other factors as, in the judgment of the Superior Court,  
70 justice may require.

71 (d) If the court determines, or the Attorney General certifies, that a  
72 public official or state or municipal employee, who was convicted of or

73 pled guilty or nolo contendere to a crime related to state or municipal  
74 office, voluntarily provided information to the Attorney General, the  
75 Auditors of Public Accounts or any state, federal or local law  
76 enforcement official concerning the commission of such crime related  
77 to state or municipal office by another public official or state or  
78 municipal employee who had a greater degree of culpability for such  
79 crime than the public official or state or municipal employee providing  
80 such information, the court shall not reduce or revoke the pension of  
81 such public official or state or municipal employee, provided such  
82 public official or state or municipal employee voluntarily provided  
83 such information prior to learning of a criminal investigation into such  
84 crime related to state or municipal office.

85 (e) If the Superior Court determines that the pension of a person  
86 should be reduced, it may, after taking into consideration the financial  
87 needs and resources of any innocent spouse, dependents and  
88 designated beneficiaries of the person, order that some or all of the  
89 reduced pension be paid to any such innocent spouse, dependent or  
90 beneficiary as justice may require.

91 (f) If the Superior Court determines that the pension of such person  
92 should not be revoked or reduced, it shall order that the retirement or  
93 other benefit or payment be made to such person.

94 (g) In all criminal proceedings in state or federal court in which the  
95 defendant is a public official or a state or municipal employee who is  
96 charged with a crime related to state or municipal office, the Attorney  
97 General shall notify the prosecutor of the existence of the pension  
98 revocation statute and the possibility that any fine, restitution or other  
99 monetary order made by the court may be paid from such official's or  
100 employee's pension.

101 Sec. 3. (NEW) (*Effective from passage*) (a) Any person whose pension  
102 is revoked pursuant to section 2 of this act shall be entitled to a return  
103 of his or her contribution paid into the relevant pension fund, without  
104 interest.

105 (b) Notwithstanding the provisions of subsection (a) of this section,  
106 no payments in return of contributions shall be made or ordered  
107 unless and until the Superior Court determines that the person whose  
108 pension has been revoked pursuant to section 2 of this act has satisfied  
109 in full any judgments or orders rendered by any court of competent  
110 jurisdiction for the payment of restitution to the state or a municipality  
111 for losses incurred as a result of the crime related to state or municipal  
112 office. If the Superior Court determines that the person whose pension  
113 has been revoked under section 2 of this act has failed to satisfy any  
114 outstanding judgment or order of restitution rendered by any court of  
115 competent jurisdiction, it may order that any funds otherwise due to  
116 such person as a return of contribution, or any portion thereof, be paid  
117 in satisfaction of the judgment or order.

118 (c) No provision of section 2 of this act or this section shall be  
119 construed to prohibit or limit any payment made pursuant to a  
120 qualified domestic relations order issued prior to any such conviction  
121 or plea by: (1) Any public official or state or municipal employee who  
122 is convicted of or pleads guilty or nolo contendere to any crime related  
123 to state or municipal office; or (2) any state or municipal agency  
124 responsible for the administration of such payment on behalf of such  
125 public official or state or municipal employee.

126 (d) Notwithstanding the provisions of section 2 of this act, no  
127 pension shall be reduced or revoked if the Internal Revenue Service  
128 determines that such reduction or revocation will negatively affect or  
129 invalidate the status of the state's government retirement plans or a  
130 municipality's government retirement plans under Section 401(a) of  
131 the Internal Revenue Code of 1986, or any subsequent corresponding  
132 internal revenue code of the United States, as from time to time  
133 amended.

134 Sec. 4. (NEW) (*Effective October 1, 2008*) (a) A public servant, as  
135 defined in section 53a-146 of the general statutes, as amended by this  
136 act, is guilty of failure to report bribery when the public servant: (1)  
137 Knows that (A) another person has attempted to bribe such public

138 servant, as defined in section 53a-147 of the general statutes, or (B)  
139 such public servant has witnessed either (i) a person attempting to  
140 bribe another public servant, as defined in section 53a-147 of the  
141 general statutes, or (ii) another public servant commit the crime of  
142 bribe receiving, as defined in section 53a-148 of the general statutes;  
143 and (2) does not, as soon as reasonably practicable, report such crime  
144 to a law enforcement agency.

145 (b) Failure to report bribery is a class A misdemeanor.

146 Sec. 5. Section 53a-146 of the general statutes is repealed and the  
147 following is substituted in lieu thereof (*Effective October 1, 2008*):

148 For purposes of this part:

149 (1) An "official proceeding" is any proceeding held or which may be  
150 held before any legislative, judicial, administrative or other agency or  
151 official authorized to take evidence under oath, including any referee,  
152 hearing examiner, commissioner or notary or other person taking  
153 evidence in connection with any proceeding.

154 (2) "Benefit" means monetary advantage, or anything regarded by  
155 the beneficiary as a monetary advantage, including benefit to any  
156 person or entity in whose welfare the beneficiary is interested.

157 (3) "Public servant" is an officer or employee of government or a  
158 quasi-public agency, as defined in section 1-120, elected or appointed,  
159 and any person participating as advisor, consultant or otherwise, paid  
160 or unpaid, in performing a governmental function.

161 (4) "Government" includes any branch, subdivision or agency of the  
162 state or any locality within it.

163 (5) "Labor official" means any duly appointed or elected  
164 representative of a labor organization or any duly appointed or elected  
165 trustee or representative of an employee welfare trust fund.

166 (6) "Witness" is any person summoned, or who may be summoned,

167 to give testimony in an official proceeding.

168 (7) "Juror" is any person who has been drawn or summoned to serve  
169 or act as a juror in any court.

170 (8) "Physical evidence" means any article, object, document, record  
171 or other thing of physical substance which is or is about to be  
172 produced or used as evidence in an official proceeding.

173 (9) "Person selected to be a public servant" means any person who  
174 has been nominated or appointed to be a public servant.

175 Sec. 6. (NEW) (*Effective from passage*) Not later than December 31,  
176 2010, the Office of State Ethics shall establish and administer a  
177 program of mandatory training on the code of ethics for public officials  
178 as set forth in chapter 10 of the general statutes. Such program shall  
179 provide such training to members of the General Assembly upon first  
180 election to the General Assembly, and for all members of the General  
181 Assembly every four years beginning in 2011, except that, in the event  
182 there is a significant revision of the code of ethics for public officials, as  
183 determined by the Joint Committee on Legislative Management, said  
184 committee shall request that the Office of State Ethics conduct a  
185 training for all members of the General Assembly before the date of the  
186 next regularly scheduled training.

187 Sec. 7. Subsection (k) of section 1-79 of the 2008 supplement to the  
188 general statutes is repealed and the following is substituted in lieu  
189 thereof (*Effective July 1, 2008*):

190 (k) "Public official" means any state-wide elected officer, any  
191 member or member-elect of the General Assembly, any person  
192 appointed to any office of the legislative, judicial or executive branch  
193 of state government by the Governor or an appointee of the Governor,  
194 with or without the advice and consent of the General Assembly, any  
195 public member or representative of the teachers' unions or state  
196 employees' unions appointed to the Investment Advisory Council  
197 pursuant to subsection (a) of section 3-13b, any person appointed or

198 elected by the General Assembly or by any member of either house  
199 thereof, [and] any member or director of a quasi-public agency and the  
200 spouse of the Governor, but shall not include a member of an advisory  
201 board, a judge of any court either elected or appointed or a senator or  
202 representative in Congress.

203 Sec. 8. Section 1-225 of the 2008 supplement to the general statutes is  
204 repealed and the following is substituted in lieu thereof (*Effective July*  
205 *1, 2008*):

206 (a) The meetings of all public agencies, except executive sessions, as  
207 defined in subdivision (6) of section 1-200, shall be open to the public.  
208 The votes of each member of any such public agency upon any issue  
209 before such public agency shall be reduced to writing and made  
210 available for public inspection within forty-eight hours and shall also  
211 be recorded in the minutes of the session at which taken. [, which]  
212 Within seven days of the session to which such minutes refer, such  
213 minutes shall be available for public inspection [within seven days of  
214 the session to which they refer] and posted on such public agency's  
215 Internet web site, if available.

216 (b) Each such public agency of the state shall file not later than  
217 January thirty-first of each year in the office of the Secretary of the  
218 State the schedule of the regular meetings of such public agency for the  
219 ensuing year and shall post such schedule on such public agency's  
220 Internet web site, if available, except that such [provision]  
221 requirements shall not apply to the General Assembly, either house  
222 thereof or to any committee thereof. Any other provision of the  
223 Freedom of Information Act notwithstanding, the General Assembly at  
224 the commencement of each regular session in the odd-numbered years,  
225 shall adopt, as part of its joint rules, rules to provide notice to the  
226 public of its regular, special, emergency or interim committee  
227 meetings. The chairperson or secretary of any such public agency of  
228 any political subdivision of the state shall file, not later than January  
229 thirty-first of each year, with the clerk of such subdivision the schedule  
230 of regular meetings of such public agency for the ensuing year, and no



231 such meeting of any such public agency shall be held sooner than  
232 thirty days after such schedule has been filed. The chief executive  
233 officer of any multitown district or agency shall file, not later than  
234 January thirty-first of each year, with the clerk of each municipal  
235 member of such district or agency, the schedule of regular meetings of  
236 such public agency for the ensuing year, and no such meeting of any  
237 such public agency shall be held sooner than thirty days after such  
238 schedule has been filed.

239 (c) The agenda of the regular meetings of every public agency,  
240 except for the General Assembly, shall be available to the public and  
241 shall be filed, not less than twenty-four hours before the meetings to  
242 which they refer, (1) in such agency's regular office or place of  
243 business, and (2) in the office of the Secretary of the State for any such  
244 public agency of the state, in the office of the clerk of such subdivision  
245 for any public agency of a political subdivision of the state or in the  
246 office of the clerk of each municipal member of any multitown district  
247 or agency. For any such public agency of the state, such agenda shall  
248 be posted on the public agency's and the Secretary of the State's web  
249 sites. Upon the affirmative vote of two-thirds of the members of a  
250 public agency present and voting, any subsequent business not  
251 included in such filed agendas may be considered and acted upon at  
252 such meetings.

253 (d) Notice of each special meeting of every public agency, except for  
254 the General Assembly, either house thereof or any committee thereof,  
255 shall be posted not less than twenty-four hours before the meeting to  
256 which such notice refers on the public agency's Internet web site, if  
257 available, and given not less than twenty-four hours prior to the time  
258 of such meeting by filing a notice of the time and place thereof in the  
259 office of the Secretary of the State for any such public agency of the  
260 state, in the office of the clerk of such subdivision for any public  
261 agency of a political subdivision of the state and in the office of the  
262 clerk of each municipal member for any multitown district or agency.  
263 The secretary or clerk shall cause any notice received under this section  
264 to be posted in his office. Such notice shall be given not less than

265 twenty-four hours prior to the time of the special meeting; provided, in  
266 case of emergency, except for the General Assembly, either house  
267 thereof or any committee thereof, any such special meeting may be  
268 held without complying with the foregoing requirement for the filing  
269 of notice but a copy of the minutes of every such emergency special  
270 meeting adequately setting forth the nature of the emergency and the  
271 proceedings occurring at such meeting shall be filed with the Secretary  
272 of the State, the clerk of such political subdivision, or the clerk of each  
273 municipal member of such multitown district or agency, as the case  
274 may be, not later than seventy-two hours following the holding of such  
275 meeting. The notice shall specify the time and place of the special  
276 meeting and the business to be transacted. No other business shall be  
277 considered at such meetings by such public agency. In addition, such  
278 written notice shall be delivered to the usual place of abode of each  
279 member of the public agency so that the same is received prior to such  
280 special meeting. The requirement of delivery of such written notice  
281 may be dispensed with as to any member who at or prior to the time  
282 the meeting convenes files with the clerk or secretary of the public  
283 agency a written waiver of delivery of such notice. Such waiver may be  
284 given by telegram. The requirement of delivery of such written notice  
285 may also be dispensed with as to any member who is actually present  
286 at the meeting at the time it convenes. Nothing in this section shall be  
287 construed to prohibit any agency from adopting more stringent notice  
288 requirements.

289 (e) No member of the public shall be required, as a condition to  
290 attendance at a meeting of any such body, to register the member's  
291 name, or furnish other information, or complete a questionnaire or  
292 otherwise fulfill any condition precedent to the member's attendance.

293 (f) A public agency may hold an executive session, as defined in  
294 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds  
295 of the members of such body present and voting, taken at a public  
296 meeting and stating the reasons for such executive session, as defined  
297 in section 1-200.

298 (g) In determining the time within which or by when a notice,  
299 agenda, record of votes or minutes of a special meeting or an  
300 emergency special meeting are required to be filed under this section,  
301 Saturdays, Sundays, legal holidays and any day on which the office of  
302 the agency, the Secretary of the State or the clerk of the applicable  
303 political subdivision or the clerk of each municipal member of any  
304 multitown district or agency, as the case may be, is closed, shall be  
305 excluded.

306 Sec. 9. Section 9-622 of the general statutes is repealed and the  
307 following is substituted in lieu thereof (*Effective July 1, 2008*):

308 The following persons shall be guilty of illegal practices and shall be  
309 punished in accordance with the provisions of section 9-623:

310 (1) Any person who, directly or indirectly, individually or by  
311 another person, gives or offers or promises to any person any money,  
312 gift, advantage, preferment, entertainment, aid, emolument or other  
313 valuable thing for the purpose of inducing or procuring any person to  
314 sign a nominating, primary or referendum petition or to vote or refrain  
315 from voting for or against any person or for or against any measure at  
316 any election, caucus, convention, primary or referendum;

317 (2) Any person who, directly or indirectly, receives, accepts,  
318 requests or solicits from any person, committee, association,  
319 organization or corporation, any money, gift, advantage, preferment,  
320 aid, emolument or other valuable thing for the purpose of inducing or  
321 procuring any person to sign a nominating, primary or referendum  
322 petition or to vote or refrain from voting for or against any person or  
323 for or against any measure at any such election, caucus, primary or  
324 referendum;

325 (3) Any person who, in consideration of any money, gift, advantage,  
326 preferment, aid, emolument or other valuable thing paid, received,  
327 accepted or promised to the person's advantage or any other person's  
328 advantage, votes or refrains from voting for or against any person or  
329 for or against any measure at any such election, caucus, primary or

330 referendum;

331 (4) Any person who solicits from any candidate any money, gift,  
332 contribution, emolument or other valuable thing for the purpose of  
333 using the same for the support, assistance, benefit or expenses of any  
334 club, company or organization, or for the purpose of defraying the cost  
335 or expenses of any political campaign, primary, referendum or  
336 election;

337 (5) Any person who, directly or indirectly, pays, gives, contributes  
338 or promises any money or other valuable thing to defray or towards  
339 defraying the cost or expenses of any campaign, primary, referendum  
340 or election to any person, committee, company, club, organization or  
341 association, other than to a campaign treasurer, except that this  
342 subdivision shall not apply to any expenses for postage, telegrams,  
343 telephoning, stationery, express charges, traveling, meals, lodging or  
344 photocopying incurred by any candidate for office or for nomination to  
345 office, so far as may be permitted under the provisions of this chapter;

346 (6) Any person who, in order to secure or promote the person's own  
347 nomination or election as a candidate, or that of any other person,  
348 directly or indirectly, promises to appoint, or promises to secure or  
349 assist in securing the appointment, nomination or election of any other  
350 person to any public position, or to any position of honor, trust or  
351 emolument; but any person may publicly announce the person's own  
352 choice or purpose in relation to any appointment, nomination or  
353 election in which the person may be called to take part, if the person is  
354 nominated for or elected to such office;

355 (7) Any person who, directly or indirectly, individually or through  
356 another person, makes a payment or promise of payment to a  
357 campaign treasurer in a name other than the person's own, and any  
358 campaign treasurer who knowingly receives a payment or promise of  
359 payment, or enters or causes the same to be entered in the person's  
360 accounts in any other name than that of the person by whom such  
361 payment or promise of payment is made;

362 (8) Any person who knowingly and wilfully violates any provision  
363 of this chapter;

364 (9) Any person who offers or receives a cash contribution in excess  
365 of one hundred dollars to promote the success or defeat of any political  
366 party, candidate or referendum question;

367 (10) Any person who solicits, makes or receives a contribution that  
368 is otherwise prohibited by any provision of this chapter;

369 (11) Any department head or deputy department head of a state  
370 department who solicits a contribution on behalf of, or for the benefit  
371 of, any candidate for state, district or municipal office or any political  
372 party;

373 (12) Any municipal employee who solicits a contribution on behalf  
374 of, or for the benefit of, any candidate for state, district or municipal  
375 office, any political committee or any political party, from (A) an  
376 individual under the supervision of such employee, or (B) the spouse  
377 or a dependent child of such individual; [or]

378 (13) Any person who makes a coordinated expenditure for a  
379 candidate without the knowledge of said candidate. No candidate  
380 shall be civilly or criminally liable with regard to any such coordinated  
381 expenditure;

382 (14) Any chief of staff of a legislative caucus who solicits a  
383 contribution on behalf of or for the benefit of any candidate for state,  
384 district or municipal office from an employee of the legislative caucus;

385 (15) Any chief of staff for a state-wide elected official who solicits a  
386 contribution on behalf of or for the benefit of any candidate for state,  
387 district or municipal office from a member of such official's staff; or

388 (16) Any chief of staff for the Governor or Lieutenant Governor who  
389 solicits a contribution on behalf of or for the benefit of any candidate  
390 for state, district or municipal office from a member of the staff of the  
391 Governor or Lieutenant Governor, or from any commissioner or

392 deputy commissioner of any state agency.

393 Sec. 10. Subsection (e) of section 1-79 of the 2008 supplement to the  
394 general statutes is repealed and the following is substituted in lieu  
395 thereof (*Effective July 1, 2008*):

396 (e) "Gift" means anything of value, which is directly and personally  
397 received, unless consideration of equal or greater value is given in  
398 return. "Gift" shall not include:

399 (1) A political contribution otherwise reported as required by law or  
400 a donation or payment as described in subdivision (9) or (10) of  
401 subsection (b) of section 9-601a;

402 (2) Services provided by persons volunteering their time, if  
403 provided to aid or promote the success or defeat of any political party,  
404 any candidate or candidates for public office or the position of  
405 convention delegate or town committee member or any referendum  
406 question;

407 (3) A commercially reasonable loan made on terms not more  
408 favorable than loans made in the ordinary course of business;

409 (4) A gift received from (A) an individual's spouse, fiance or fiancée,  
410 (B) the parent, brother or sister of such spouse or such individual, or  
411 (C) the child of such individual or the spouse of such child;

412 (5) Goods or services (A) which are provided to a state agency or  
413 quasi-public agency (i) for use on state or quasi-public agency  
414 property, or (ii) that support an event, and (B) which facilitate state or  
415 quasi-public agency action or functions. As used in this subdivision,  
416 "state property" means (i) property owned by the state or a quasi-  
417 public agency, or (ii) property leased to a state agency or quasi-public  
418 agency;

419 (6) A certificate, plaque or other ceremonial award costing less than  
420 one hundred dollars;

421 (7) A rebate, discount or promotional item available to the general  
422 public;

423 (8) Printed or recorded informational material germane to state  
424 action or functions;

425 (9) Food or beverage or both, costing less than fifty dollars in the  
426 aggregate per recipient in a calendar year, and consumed on an  
427 occasion or occasions at which the person paying, directly or  
428 indirectly, for the food or beverage, or his representative, is in  
429 attendance;

430 (10) Food or beverage or both, costing less than fifty dollars per  
431 person and consumed at a publicly noticed legislative reception to  
432 which all members of the General Assembly are invited and which is  
433 hosted not more than once in any calendar year by a lobbyist or  
434 business organization. For the purposes of such limit, (A) a reception  
435 hosted by a lobbyist who is an individual shall be deemed to have also  
436 been hosted by the business organization which he owns or is  
437 employed by, and (B) a reception hosted by a business organization  
438 shall be deemed to have also been hosted by all owners and employees  
439 of the business organization who are lobbyists. In making the  
440 calculation for the purposes of such fifty-dollar limit, the donor shall  
441 divide the amount spent on food and beverage by the number of  
442 persons whom the donor reasonably expects to attend the reception;

443 (11) Food or beverage or both, costing less than fifty dollars per  
444 person and consumed at a publicly noticed reception to which all  
445 members of the General Assembly from a region of the state are  
446 invited and which is hosted not more than once in any calendar year  
447 by a lobbyist or business organization. For the purposes of such limit,  
448 (A) a reception hosted by a lobbyist who is an individual shall be  
449 deemed to have also been hosted by the business organization which  
450 he owns or is employed by, and (B) a reception hosted by a business  
451 organization shall be deemed to have also been hosted by all owners  
452 and employees of the business organization who are lobbyists. In

453 making the calculation for the purposes of such fifty-dollar limit, the  
454 donor shall divide the amount spent on food and beverage by the  
455 number of persons whom the donor reasonably expects to attend the  
456 reception. As used in this subdivision, "region of the state" means the  
457 established geographic service area of the organization hosting the  
458 reception;

459 (12) A gift, including but not limited to, food or beverage or both,  
460 provided by an individual for the celebration of a major life event,  
461 provided any such gift provided by an individual who is not a  
462 member of the family of the recipient shall not exceed one thousand  
463 dollars in value;

464 (13) Gifts costing less than one hundred dollars in the aggregate or  
465 food or beverage provided at a hospitality suite at a meeting or  
466 conference of an interstate legislative association, by a person who is  
467 not a registrant or is not doing business with the state of Connecticut;

468 (14) Admission to a charitable or civic event, including food and  
469 beverage provided at such event, but excluding lodging or travel  
470 expenses, at which a public official or state employee participates in  
471 his official capacity, provided such admission is provided by the  
472 primary sponsoring entity;

473 (15) Anything of value provided by an employer of (A) a public  
474 official, (B) a state employee, or (C) a spouse of a public official or state  
475 employee, to such official, employee or spouse, provided such benefits  
476 are customarily and ordinarily provided to others in similar  
477 circumstances;

478 (16) Anything having a value of not more than ten dollars, provided  
479 the aggregate value of all things provided by a donor to a recipient  
480 under this subdivision in any calendar year shall not exceed fifty  
481 dollars; or

482 (17) Training that is provided by a vendor for a product purchased  
483 by a state or quasi-public agency which is offered to all customers of



484 such vendor.

485 Sec. 11. Subsection (g) of section 1-91 of the 2008 supplement to the  
486 general statutes is repealed and the following is substituted in lieu  
487 thereof (*Effective July 1, 2008*):

488 (g) "Gift" means anything of value, which is directly and personally  
489 received, unless consideration of equal or greater value is given in  
490 return. "Gift" shall not include:

491 (1) A political contribution otherwise reported as required by law or  
492 a donation or payment described in subdivision (9) or (10) of  
493 subsection (b) of section 9-601a;

494 (2) Services provided by persons volunteering their time, if  
495 provided to aid or promote the success or defeat of any political party,  
496 any candidate or candidates for public office or the position of  
497 convention delegate or town committee member or any referendum  
498 question;

499 (3) A commercially reasonable loan made on terms not more  
500 favorable than loans made in the ordinary course of business;

501 (4) A gift received from (A) the individual's spouse, fiance or  
502 fiancée, (B) the parent, brother or sister of such spouse or such  
503 individual, or (C) the child of such individual or the spouse of such  
504 child;

505 (5) Goods or services (A) which are provided to a state agency or  
506 quasi-public agency (i) for use on state or quasi-public agency  
507 property, or (ii) that support an event, and (B) which facilitate state or  
508 quasi-public agency action or functions. As used in this subdivision,  
509 "state property" means (i) property owned by the state or a quasi-  
510 public agency, or (ii) property leased to a state or quasi-public agency;

511 (6) A certificate, plaque or other ceremonial award costing less than  
512 one hundred dollars;

513 (7) A rebate, discount or promotional item available to the general  
514 public;

515 (8) Printed or recorded informational material germane to state  
516 action or functions;

517 (9) Food or beverage or both, costing less than fifty dollars in the  
518 aggregate per recipient in a calendar year, and consumed on an  
519 occasion or occasions at which the person paying, directly or  
520 indirectly, for the food or beverage, or his representative, is in  
521 attendance;

522 (10) Food or beverage or both, costing less than fifty dollars per  
523 person and consumed at a publicly noticed legislative reception to  
524 which all members of the General Assembly are invited and which is  
525 hosted not more than once in any calendar year by a lobbyist or  
526 business organization. For the purposes of such limit, (A) a reception  
527 hosted by a lobbyist who is an individual shall be deemed to have also  
528 been hosted by the business organization which he owns or is  
529 employed by, and (B) a reception hosted by a business organization  
530 shall be deemed to have also been hosted by all owners and employees  
531 of the business organization who are lobbyists. In making the  
532 calculation for the purposes of such fifty-dollar limit, the donor shall  
533 divide the amount spent on food and beverage by the number of  
534 persons whom the donor reasonably expects to attend the reception;

535 (11) Food or beverage or both, costing less than fifty dollars per  
536 person and consumed at a publicly noticed reception to which all  
537 members of the General Assembly from a region of the state are  
538 invited and which is hosted not more than once in any calendar year  
539 by a lobbyist or business organization. For the purposes of such limit,  
540 (A) a reception hosted by a lobbyist who is an individual shall be  
541 deemed to have also been hosted by the business organization which  
542 he owns or is employed by, and (B) a reception hosted by a business  
543 organization shall be deemed to have also been hosted by all owners  
544 and employees of the business organization who are lobbyists. In

545 making the calculation for the purposes of such fifty-dollar limit, the  
546 donor shall divide the amount spent on food and beverage by the  
547 number of persons whom the donor reasonably expects to attend the  
548 reception. As used in this subdivision, "region of the state" means the  
549 established geographic service area of the organization hosting the  
550 reception;

551 (12) A gift, including, but not limited to, food or beverage or both,  
552 provided by an individual for the celebration of a major life event,  
553 provided any such gift provided by an individual who is not a  
554 member of the family of the recipient shall not exceed one thousand  
555 dollars in value;

556 (13) Gifts costing less than one hundred dollars in the aggregate or  
557 food or beverage provided at a hospitality suite at a meeting or  
558 conference of an interstate legislative association, by a person who is  
559 not a registrant or is not doing business with the state of Connecticut;

560 (14) Admission to a charitable or civic event, including food and  
561 beverage provided at such event, but excluding lodging or travel  
562 expenses, at which a public official or state employee participates in  
563 his official capacity, provided such admission is provided by the  
564 primary sponsoring entity;

565 (15) Anything of value provided by an employer of (A) a public  
566 official, (B) a state employee, or (C) a spouse of a public official or state  
567 employee, to such official, employee or spouse, provided such benefits  
568 are customarily and ordinarily provided to others in similar  
569 circumstances;

570 (16) Anything having a value of not more than ten dollars, provided  
571 the aggregate value of all things provided by a donor to a recipient  
572 under this subdivision in any calendar year shall not exceed fifty  
573 dollars; or

574 (17) Training that is provided by a vendor for a product purchased  
575 by a state or quasi-public agency which is offered to all customers of

576 such vendor.

577 Sec. 12. Subsection (f) of section 1-84b of the general statutes is  
578 repealed and the following is substituted in lieu thereof (*Effective July*  
579 *1, 2008*):

580 (f) No former public official or state employee (1) who participated  
581 substantially in the negotiation or award of (A) a state contract valued  
582 at an amount of fifty thousand dollars or more, or (B) a written  
583 agreement for the approval of a payroll deduction slot described in  
584 section 3-123g, or (2) who supervised the negotiation or award of such  
585 a contract or agreement, shall accept employment with a party to the  
586 contract or agreement other than the state for a period of one year after  
587 his resignation from his state office or position if his resignation occurs  
588 less than one year after the contract or agreement is signed. No party  
589 to such a contract or agreement other than the state shall employ any  
590 such former public official or state employee in violation of this  
591 subsection.

592 Sec. 13. Subsections (a) and (b) of section 1-82 of the general statutes  
593 are repealed and the following is substituted in lieu thereof (*Effective*  
594 *from passage*):

595 (a) (1) Upon the complaint of any person on a form prescribed by  
596 the board, signed under penalty of false statement, or upon its own  
597 complaint, the ethics enforcement officer of the Office of State Ethics  
598 shall investigate any alleged violation of this part or section 1-101nn of  
599 the 2008 supplement to the general statutes. Not later than five days  
600 after the receipt or issuance of such complaint, the board shall provide  
601 notice of such receipt or issuance and a copy of the complaint by  
602 registered or certified mail to any respondent against whom such  
603 complaint is filed and shall provide notice of the receipt of such  
604 complaint to the complainant. When the ethics enforcement officer of  
605 the Office of State Ethics undertakes an evaluation of a possible  
606 violation of this part or section 1-101nn of the 2008 supplement to the  
607 general statutes prior to the filing of a complaint, the subject of the

608 evaluation shall be notified not later than five business days after an  
609 Office of State Ethics staff member's first contact with a third party  
610 concerning the matter.

611 (2) In the conduct of its investigation of an alleged violation of this  
612 part or section 1-101nn of the 2008 supplement to the general statutes,  
613 the Office of State Ethics shall have the power to hold hearings,  
614 administer oaths, examine witnesses [,] and receive oral and  
615 documentary evidence. [,] The Office of State Ethics may subpoena  
616 witnesses under procedural rules adopted by the Citizen's Ethics  
617 Advisory Board as regulations in accordance with the provisions of  
618 chapter 54 to compel attendance before the Office of State Ethics and to  
619 require the production for examination by the ethics enforcement  
620 officer of the Office of State Ethics of any books and papers which the  
621 Office of State Ethics deems relevant in any matter under investigation  
622 or in question, provided any such subpoena is issued either pursuant  
623 to a majority vote of the Citizen's Ethics Advisory Board or pursuant to  
624 the signature of the chairperson of such board. The vice-chairperson of  
625 such board may sign any such subpoena if the chairperson of such  
626 board is unavailable. In the exercise of such powers, the Office of State  
627 Ethics may use the services of the state police, who shall provide the  
628 same upon the office's request. The Office of State Ethics shall make a  
629 record of all proceedings conducted pursuant to this subsection. The  
630 ethics enforcement officer of the Office of State Ethics may bring any  
631 alleged violation of this part before a judge trial referee assigned by the  
632 Chief Court Administrator for such purpose for a probable cause  
633 hearing. Such judge trial referee shall be compensated in accordance  
634 with the provisions of section 52-434 from such funds as may be  
635 available to the Office of State Ethics. Any witness summoned before  
636 the Office of State Ethics or a judge trial referee pursuant to this  
637 subsection shall receive the witness fee paid to witnesses in the courts  
638 of this state. During any investigation conducted pursuant to this  
639 subsection or any probable cause hearing conducted pursuant to this  
640 subsection, the respondent shall have the right to appear and be heard  
641 and to offer any information which may tend to clear the respondent

642 of probable cause to believe the respondent has violated any provision  
643 of this part or section 1-101nn of the 2008 supplement to the general  
644 statutes. The respondent shall also have the right to be represented by  
645 legal counsel and to examine and cross-examine witnesses. Not later  
646 than ten days prior to the commencement of any hearing conducted  
647 pursuant to this subsection, the Office of State Ethics shall provide the  
648 respondent with a list of its intended witnesses. Any finding of  
649 probable cause to believe the respondent is in violation of any  
650 provisions of this part shall be made by a judge trial referee not later  
651 than thirty days after the ethics enforcement officer brings such alleged  
652 violation before such judge trial referee, except that such thirty-day  
653 limitation period shall not apply if the judge trial referee determines  
654 that good cause exists for extending such limitation period.

655 (b) If a judge trial referee determines that probable cause exists for  
656 the violation of a provision of this part or section 1-101nn of the 2008  
657 supplement to the general statutes, the board shall initiate hearings to  
658 determine whether there has been a violation of this part or section 1-  
659 101nn of the 2008 supplement to the general statutes. Any such  
660 hearing shall be initiated by the board not later than thirty days after  
661 the finding of probable cause by a judge trial referee and shall be  
662 concluded not later than ninety days after its initiation, except that  
663 such thirty or ninety-day limitation period shall not apply if the judge  
664 trial referee determines that good cause exists for extending such  
665 limitation period. A judge trial referee, who has not taken part in the  
666 probable cause determination on the matter shall be assigned by the  
667 Chief Court Administrator and shall be compensated in accordance  
668 with section 52-434 out of funds available to the Office of State Ethics  
669 and shall preside over such hearing and rule on all issues concerning  
670 the application of the rules of evidence, which shall be the same as in  
671 judicial proceedings. The trial referee shall have no vote in any  
672 decision of the board. All hearings of the board held pursuant to this  
673 subsection shall be open. At such hearing the board shall have the  
674 same powers as the Office of State Ethics under subsection (a) of this  
675 section and the respondent shall have the right to be represented by

676 legal counsel, the right to compel attendance of witnesses and the  
677 production of books, documents, records and papers and to examine  
678 and cross-examine witnesses. Not later than ten days prior to the  
679 commencement of any hearing conducted pursuant to this subsection,  
680 the Office of State Ethics shall provide the respondent with a list of its  
681 intended witnesses. The judge trial referee shall, while engaged in the  
682 discharge of the duties as provided in this subsection, have the same  
683 authority as is provided in section 51-35 over witnesses who refuse to  
684 obey a subpoena or to testify with respect to any matter upon which  
685 such witness may be lawfully interrogated, and may commit any such  
686 witness for contempt for a period no longer than thirty days. The  
687 Office of State Ethics shall make a record of all proceedings pursuant  
688 to this subsection. During the course of any such hearing, no ex-parte  
689 communication shall occur between the board, or any of its members,  
690 and: (1) The judge trial referee, or (2) any staff member of the  
691 Enforcement Division of the Office of State Ethics, concerning the  
692 complaint or the respondent. The board shall find no person in  
693 violation of any provision of this part or section 1-101nn of the 2008  
694 supplement to the general statutes except upon the concurring vote of  
695 six of its members present and voting. No member of the board shall  
696 vote on the question of whether a violation of any provision of this  
697 part has occurred unless such member was physically present for the  
698 duration of any hearing held pursuant to this subsection. Not later  
699 than fifteen days after the public hearing conducted in accordance with  
700 this subsection, the board shall publish its finding and a memorandum  
701 of the reasons therefor. Such finding and memorandum shall be  
702 deemed to be the final decision of the board on the matter for the  
703 purposes of chapter 54. The respondent, if aggrieved by the finding  
704 and memorandum, may appeal therefrom to the Superior Court in  
705 accordance with the provisions of section 4-183.

706 Sec. 14. Subsections (a) and (b) of section 1-93 of the general statutes  
707 are repealed and the following is substituted in lieu thereof (*Effective*  
708 *from passage*):

709 (a) (1) Upon the complaint of any person on a form prescribed by

710 the Office of State Ethics, signed under penalty of false statement, or  
711 upon its own complaint, the ethics enforcement officer of the Office of  
712 State Ethics shall investigate any alleged violation of this part. Not  
713 later than five days after the receipt or issuance of such complaint, the  
714 Office of State Ethics shall provide notice of such receipt or issuance  
715 and a copy of the complaint by registered or certified mail to any  
716 respondent against whom such complaint is filed and shall provide  
717 notice of the receipt of such complaint to the complainant. When the  
718 Office of State Ethics undertakes an evaluation of a possible violation  
719 of this part prior to the filing of a complaint, the subject of the  
720 evaluation shall be notified not later than five business days after a  
721 staff member of the Office of State Ethics undertakes the first contact  
722 with a third party concerning the matter.

723 (2) In the conduct of its investigation of an alleged violation of this  
724 part, the Office of State Ethics shall have the power to hold hearings,  
725 administer oaths, examine witnesses [,] and receive oral and  
726 documentary evidence. [,] The Office of State Ethics may subpoena  
727 witnesses under procedural rules adopted by the Citizen's Ethics  
728 Advisory Board as regulations in accordance with the provisions of  
729 chapter 54 to compel attendance before the Office of State Ethics and to  
730 require the production for examination by the ethics enforcement  
731 officer of the Office of State Ethics of any books and papers which the  
732 ethics enforcement officer of the Office of State Ethics deems relevant  
733 in any matter under investigation or in question, provided any such  
734 subpoena is issued either pursuant to a majority vote of the Citizen's  
735 Ethics Advisory Board or pursuant to the signature of the chairperson  
736 of such board. The vice-chairperson of such board may sign any such  
737 subpoena if the chairperson of such board is unavailable. In the  
738 exercise of such powers, the Office of State Ethics may use the services  
739 of the state police, who shall provide the same upon the office's  
740 request. The Office of State Ethics shall make a record of all  
741 proceedings conducted pursuant to this subsection. Any witness  
742 summoned before the Office of State Ethics or a judge trial referee  
743 pursuant to this subsection shall receive the witness fee paid to



witnesses in the courts of this state. The ethics enforcement officer of the Office of State Ethics may bring any alleged violation of this part before a judge trial referee assigned by the Chief Court Administrator for such purpose for a probable cause hearing. Such judge trial referee shall be compensated in accordance with the provisions of section 52-434 from such funds as may be available to the Office of State Ethics. The respondent shall have the right to appear at any hearing held pursuant to this subsection and be heard and to offer any information which may tend to clear the respondent of probable cause to believe the respondent has violated any provision of this part. The respondent shall also have the right to be represented by legal counsel and to examine and cross-examine witnesses. Not later than ten days prior to the commencement of any hearing conducted pursuant to this subsection, the Office of State Ethics shall provide the respondent with a list of its intended witnesses. Any finding of probable cause to believe the respondent is in violation of any provision of this part shall be made by a judge trial referee not later than thirty days after the ethics enforcement officer brings such alleged violation before such judge trial referee, except that such thirty-day limitation period shall not apply if the judge trial referee determines that good cause exists for extending such limitation period.

(b) If a judge trial referee indicates that probable cause exists for the violation of a provision of this part, the board shall initiate hearings to determine whether there has been a violation of this part. Any such hearing shall be initiated by the board not later than thirty days after the finding of probable cause by a judge trial referee and shall be concluded not later than ninety days after its initiation, except that such thirty-day or ninety-day limitation period shall not apply if the judge trial referee determines that good cause exists for extending such limitation period. A judge trial referee, who has not taken part in the probable cause determination on the matter shall be assigned by the Chief Court Administrator and shall be compensated in accordance with section 52-434 out of funds available to the board and shall preside over such hearing and rule on all issues concerning the

778 application of the rules of evidence, which shall be the same as in  
779 judicial proceedings. The trial referee shall have no vote in any  
780 decision of the board. All hearings of the board held pursuant to this  
781 subsection shall be open. At such hearing the board shall have the  
782 same powers as the Office of State Ethics under subsection (a) of this  
783 section and the respondent shall have the right to be represented by  
784 legal counsel, the right to compel attendance of witnesses and the  
785 production of books, documents, records and papers and to examine  
786 and cross-examine witnesses. Not later than ten days prior to the  
787 commencement of any hearing conducted pursuant to this subsection,  
788 the Office of State Ethics shall provide the respondent with a list of its  
789 intended witnesses. The judge trial referee shall, while engaged in the  
790 discharge of the duties as provided in this subsection, have the same  
791 authority as is provided in section 51-35 over witnesses who refuse to  
792 obey a subpoena or to testify with respect to any matter upon which  
793 such witness may be lawfully interrogated, and may commit any such  
794 witness for contempt for a period no longer than thirty days. The  
795 Office of State Ethics shall make a record of all proceedings pursuant  
796 to this subsection. During the course of any such hearing, no ex-parte  
797 communication shall occur between the board, or any of its members,  
798 and: (1) The judge trial referee, or (2) any staff member of the  
799 Enforcement Division of the Office of State Ethics, concerning the  
800 complaint or the respondent. The board shall find no person in  
801 violation of any provision of this part except upon the concurring vote  
802 of [two-thirds] six of its members present and voting. No member of  
803 the board shall vote on the question of whether a violation of any  
804 provision of this part has occurred unless such member was physically  
805 present for the duration of any hearing held pursuant to this  
806 subsection. Not later than fifteen days after the public hearing  
807 conducted in accordance with this subsection, the board shall publish  
808 its finding and a memorandum of the reasons therefor. Such finding  
809 and memorandum shall be deemed to be the final decision of the  
810 board on the matter for the purposes of chapter 54. The respondent, if  
811 aggrieved by the finding and memorandum, may appeal therefrom to  
812 the Superior Court in accordance with the provisions of section 4-183."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2008</i>	New section
Sec. 5	<i>October 1, 2008</i>	53a-146
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>July 1, 2008</i>	1-79(k)
Sec. 8	<i>July 1, 2008</i>	1-225
Sec. 9	<i>July 1, 2008</i>	9-622
Sec. 10	<i>July 1, 2008</i>	1-79(e)
Sec. 11	<i>July 1, 2008</i>	1-91(g)
Sec. 12	<i>July 1, 2008</i>	1-84b(f)
Sec. 13	<i>from passage</i>	1-82(a) and (b)
Sec. 14	<i>from passage</i>	1-93(a) and (b)